IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

WP(C).No. 22278 of 2007(B)

PETITIONER:

KATHIRVEL, S/O MUTHUSWAMY GOUNDER,
KAIKKATTI KALAM, MOOLATHARA VILLAGE,
CHITTUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENTS:

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1. DISTRICT COLLECTOR,(LAND ACQUISITION),
COLLECTORATE, PALAKKAD.

2. SPECIAL TAHSILDAR(LAND ACQUISITION),
TALUK OFFICE, CHITTUR TALUK,
PALAKKAD DISTRICT.

3. VILLAGE OFFICER,
MOOLATHARA VILLAGE,
CHITTUR TALUK, PALAKKAD DISTRICT.

BY GOVT. PLEADER SRI.L.G.SURESH BABU.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.PADMANABHAN NAIR, J.

W.P.(C) No.22278 OF 2007

Dated this the 23rd July, 2007.

J U D G M E N T

The petitioner claims that he is the absolute owner and is in possession of land comprised in Old Survey No.260 and 261 (Re-survey No.294). According to the petitioner, land belonging to him were acquired for a public purpose, but the amount which ought to have been disbursed to him were disbursed to his brother. The prayer in this writ petition is to quash Ext.P4 letter, dated 18.7.2002, addressed to the petitioner from the Land Acquisition Officer. The petitioner was informed that if the petitioner had any claim over the property, he ought to have raised such a claim during the award enquiry stage. I do not think, it is just and proper to invoke the extra ordinary jurisdiction under Article 226 of the Constitution of India, at this distant point of time. The remedy, if any, available to the petitioner is to approach the competent civil court for redressal of his grievance, subject to the law of limitation.

In the result, the writ petition is closed, without prejudice to the right of the petitioner to take re-course to any other remedy, available to him under the law.

K.PADMANABHAN NAIR,
JUDGE

nj.